

REMARKS

Claims 1 to 11 were pending in the application at the time of examination. Claims 1 to 11 stand rejected as anticipated.

Independent Claims 1, 5, 6, and 9 are amended to recite an inherent property, which is that both versions are available in the file. This inherent property is clearly shown in the drawings and described in the Detailed Description.

Accordingly, this amendment does not require a new search or consideration of new issues. This amendment is made to avoid a discussion as to whether Applicant is asking the Examiner to read limitations into the claims.

Claim 2 is amended to correct a typographical error. This amendment does not affect the patentability of the claim.

Claim 5 also is amended to correct an informality. In view of the fact that the Examiner did not reject the claim for §112 issues, this amendment does not affect the patentability of the claim.

Claim 9 also is amended to recite inherent features of a computer program product. Accordingly, Applicant submits that this amendment does not affect the patentability of the claim.

Claims 12 to 15 are new. These claims are supported at least by the original claims and the drawings.

Claims 1 to 11 stand rejected as being anticipated by U.S. Patent Application Publication No. 2002/0073106 A1, hereinafter referred to as Parker. The Examiner stated in part:

As per claims 1 and 5-6, Parker et al. teaches "storing said at least one earlier version of said document in its entirety in a file . . ." (see page 6, paragraphs [0154]-[0157]) "storing said current version of said document in its entirety in said file" (see page 6, paragraphs [0154] (Sic) and page 3, paragraphs [0073]-[0076]).

Applicant respectfully traverses the anticipation rejection of Claim 1. Parker taught:

[0070] (3) comparing the Capture File (Current Version) and the Latest Version, and

[0071] (4) computing **the differences** (Emphasis added) between the two versions to provide a Forward Delta and a Reverse Delta wherein

[0072] (a) the Forward Delta is that difference between the Latest Version and the Current Version which when added to the Latest Version will produce the Current Version, and

[0073] (b) the Reverse Delta is that difference between the Latest Version and the Current Version which when subtracted from the Current Version will produce the Latest Version, and

Parker, pg. 3.

Thus, Parker taught calculating deltas relative to the current version. It was the delta and a particular version that were stored for subsequent use. Paragraph 74 described storing the reverse delta and the current version in the "Vault Historical Archive." Parker explicitly stated in Paragraph 74 that the Latest Version is deleted from the "Vault Historical Archive." Thus, Parker explicitly taught that the current version and the latest version were **not** stored at the same time in the "Vault Historical Archive" for subsequent use.

Paragraph 76 of Parker taught that the forward delta and a new file are placed in a container. Again, two versions in their entireties are not stored, but rather a file and a delta. Applicant respectfully points out that Parker simply taught an alternative method for managing the prior art described by Applicant.

The MPEP requires that for an anticipation rejection:

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as

required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

MPEP § 2131, 8th Ed., Rev. 1, p 2100-70, (Feb 2003).

Claim 1 distinguishes over Parker by reciting:

storing said at least one earlier version of said document in its entirety in a file on said storage medium; and

storing said current version of said document in its entirety in said file wherein said at least one earlier version and said current version are both in said file for subsequent use.

By teaching storing a delta and a version, Parker failed to show "The identical invention ... in as complete detail as is contained in the ... claim." Thus, according to the MPEP, Parker fails to anticipate Applicant's invention as recited in Claim 1. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claims 2 to 4 depend from Claim 1 and so distinguish over Parker for at least the same reasons as Claim 1. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 4.

With respect to the anticipation rejection of Claim 5, the above comments concerning Parker and Claim 1 are incorporated herein by reference. Also, Paragraph 76 of Parker, as quoted above, describes encrypting both the delta and the file. First, as noted with respect to Claim 1, this teaches away from storing both versions in their entirety. Second, the delta and file are both encrypted which teaches away from storing in different forms as in Claim 5. Accordingly, Claim 5 distinguishes over Parker for multiple reasons. Applicant

requests reconsideration and withdrawal of the anticipation rejection of Claim 5.

Claim 6 includes language similar to Claim 1. Thus, the comments above with respect to Claim 1 are directly applicable to Claim 6 and are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 6.

Claims 7 to 8 depend from Claim 6 and so distinguish over Parker for at least the same reasons as Claim 6. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 7 to 8.

Claim 9 includes language similar to Claim 1. Thus, the comments above with respect to Claim 1 are directly applicable to Claim 9 and are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 9.

Claims 10 to 11 depend from Claim 9 and so distinguish over Parker for at least the same reasons as Claim 9. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 10 to 11.

New Claim 12 includes language similar to Claim 1. Thus, the comments above with respect to Claim 1 are directly applicable to Claim 12 and are incorporated herein by reference. Applicant submits that Claim 12 distinguishes over Parker.

Claims 13 to 15 depend from Claim 12 and so distinguish over Parker for at least the same reasons as Claim 12. Applicant submits that each of Claim 13 to 15 distinguishes over Parker.

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Claims 1 to 15 remain in the application. Claims 1, 2, 5, 6 and 9 have been amended. Claims 12 to 15 are new. For the foregoing reasons, Applicant respectfully requests allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 8, 2004.



Attorney for Applicant(s)

July 8, 2004  
Date of Signature

Respectfully submitted,



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